

§ 389.37

(d) Unless the Administrator otherwise provides, the filing of a petition under this section does not stay the effectiveness of the rule.

[35 FR 9209, June 12, 1970, as amended at 53 FR 2036, Jan. 26, 1988]

§ 389.37 Proceedings on petitions for reconsideration.

The Administrator may grant or deny, in whole or in part, any petition for reconsideration without further proceedings. In the event he/she determines to reconsider any rule, he/she may issue a final decision on reconsideration without further proceedings, or he/she may provide such opportunity to submit comment or information and data as he/she deems appropriate. Whenever the Administrator determines that a petition should be granted or denied, he/she prepares a notice of the grant or denial of a petition for reconsideration, for issuance to the petitioner, and issues it to the petitioner. The Administrator may consolidate petitions relating to the same rule.

[35 FR 9209, June 12, 1970, as amended at 53 FR 2036, Jan. 26, 1988]

PART 390—FEDERAL MOTOR CARRIER SAFETY REGULATIONS; GENERAL

Subpart A—General Applicability and Definitions

Sec.

- 390.1 Purpose.
- 390.3 General applicability.
- 390.5 Definitions.
- 390.7 Rules of construction.

Subpart B—General Requirements and Information

- 390.9 State and local laws, effect on.
- 390.11 Motor carrier to require observance of driver regulations.
- 390.13 Aiding or abetting violations.
- 390.15 Assistance in investigations and special studies.
- 390.16–390.17 [Reserved]
- 390.19 Additional equipment and accessories.
- 390.21 Marking of commercial motor vehicles.
- 390.23 Relief from regulations.
- 390.25 Extension of relief from regulations—emergencies.

49 CFR Ch. III (10–1–97 Edition)

- 390.27 Locations of regional offices of motor carriers.
- 390.29 [Reserved]
- 390.31 Copies of records or documents.
- 390.33 Commercial motor vehicles used for purposes other than defined.
- 390.35 Certificates, reports, and records: Falsification, reproduction, or alteration.
- 390.37 Violation and penalty.

Subpart C [Reserved]

Subpart D—Identification of Vehicles

- 390.401 Applicability.
- 390.403 Method of identification.
- 390.405 Size, shape, and color.
- 390.407 Driveaway service.

AUTHORITY: 49 U.S.C. 13301, 13902, 31132, 31133, 31136, 31502, 31504, and Sec. 204, Pub.L. 104–88, 109 Stat. 803, 941; 49 U.S.C. 701 note, and 49 CFR 1.48.

SOURCE: 53 FR 18052, May 19, 1988, unless otherwise noted.

Subpart A—General Applicability and Definitions

§ 390.1 Purpose.

This part establishes general applicability, definitions, general requirements and information as they pertain to persons subject to this chapter.

§ 390.3 General applicability.

(a) The rules in subchapter B of this chapter are applicable to all employers, employees, and commercial motor vehicles, which transport property or passengers in interstate commerce.

(b) The rules in Part 383, Commercial Driver's License Standards; Requirements and Penalties, are applicable to every person who operates a commercial motor vehicle, as defined in § 383.5 of this subchapter, in interstate or intrastate commerce and to all employers of such persons.

(c) The rules in Part 387, Minimum Levels of Financial Responsibility for Motor Carriers, are applicable to motor carriers as provided in § 387.3 or 387.27 of this subchapter.

(d) *Additional requirements.* Nothing in subchapter B of this chapter shall be construed to prohibit an employer from requiring and enforcing more stringent requirements relating to safety of operation and employee safety and health.